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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

IN RE: Bard IVC Filters Products Liability
Litigation

MDL NO.: 15-02641-PHX-DGC

This Document Relates to:

EVAN HULICK,

Plaintiff,

Case No.: CV17-3178 PHX DGC

v.

C.R.BARD, INC., a New Jersey
Corporation; and BARD PERIPHERAL
VASCULAR INC., an Arizona
Corporation, and NEOMETRICS, INC.,

**AMENDED MASTER SHORT FORM
COMPLAINT FOR DAMAGES FOR
INDIVIDUAL CLAIMS**

Defendants.

Plaintiff named below, for his Complaint against Defendants named below, incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc.364). Plaintiff further shows the Court as follows:

1. Plaintiff: Evan Casey Hulick
2. Spousal Plaintiff – not applicable.
3. Other Plaintiff – not applicable.
4. Plaintiff's State of residence at time of implant: NEW YORK.

5. Plaintiff's State of residence at time of injury: NEW YORK.
6. Plaintiff's current State of residence: NEW YORK.
7. District Court and Division in which venue would be proper absent direct filing: UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA
8. Defendants:
 X C.R. Bard, Inc.
 X Bard Peripheral Vascular, Inc.
 X Neometrics, Inc.
9. Basis of Jurisdiction:
 X Diversity of Citizenship

Other:
10. Defendants' Inferior Vena Cava Filter about which Plaintiff is making a claim:
Denali IVC implanted January 2, 2016. Explant on 9/22/16 with Bard recovery cone.
Migration issues – detachment of opaque marker ring of retrieval device.
11. Date of Implantation of each product: January 2nd, 2016 – Denali IVC filter
9/22/16 – Recovery Cone Retrieval System.
12. Counts in Master Complaint brought by Plaintiff:
 - Count I: Strict Products Liability – Manufacturing Defect
 - Count II: Strict Products Liability – Information Defect (Failure to Warn)
 - Count III: Strict Products Liability – Design Defect
 - Count IV: Negligence – Design
 - Count V: Negligence – Manufacture;
 - Count VI: Negligence – Failure to Recall/Retrofit
 - Count VII: Negligent – Failure to Warn
 - Count VIII: Negligent Misrepresentation;

Count IX: Negligence Per Se
Count X: Breach of Express Warranty;
Count XI: Breach of Implied Warranty;
Count XII: Fraudulent Misrepresentation
Count XIII: Fraudulent Concealment;
Count XIV: Violations of Applicable New York Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
Count XV: Loss of Consortium
Count XVI: Wrongful Death
Count XVII: Survival
Punitive Damages
Other(s)

13. Jury Trial demanded for all issues so triable?

X Yes

 No

RESPECTFULLY SUBMITTED this 12th day of October 2017

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